



Public Notice

Applicant:

HOLAR Properties, LLC

Date:

Published: March 3, 2004

Expires: April 1, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-TD-R RE:** 2003-02060(2) **Section:** OH 404

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Jim LaRose, of HOLAR Properties, LLC, 4223 East 49th Street, Cuyahoga Heights, Ohio 44125, has requested a Department of the Army permit to fill wetlands during the expansion of a beverage distribution center. The project is located east of South Point Parkway and south of Miller Road, in the City of Brecksville, Cuyahoga County, Ohio.

The approximately 7.2 acre site contains 5 wetlands totalling 1.14 acres. The wetland delineation for the site was verified on November 26, 2003. Approximately 1.07 acres of wetlands (Wetlands B, C, D, and E) are adjacent to or contiguous with a complex of drainageways eventually leading to Furnace Brook and are therefore subject to regulation by the Department of the Army.

Approximately 1.03 acres of waters of the U.S. subject to Federal jurisdiction and 0.07 acres of isolated waters not subject to Federal jurisdiction will be filled. Nationwide Permit (NWP) 14 has been affirmed for the filling of 0.03 acres of Federal wetlands associated with the installation of an access road.

As mitigation for the filling of a total of 1.06 acres of federal wetland impacts, the applicant proposes a combination of the following: 1) purchase at least 1.06 acres of wetland credit from the North Coast Regional Council of Park Districts, 2) provide monetary assistance to the Metropolitan Park District of Toledo for the acquisition of high quality wet prairie wetlands within the Oak Openings Corridor, 3) construct 0.5 acre vegetated swales (bio-swales) around the perimeter of the site to filter stormwater and reduce downstream sediment loads, and 4) install a 0.80 acre wet detention pond on-site to reduce downstream sediment loads.

This proposed expansion is part of a beverage distribution complex which includes properties owned by the Cleveland Automobile Dealerships Associate, L.J. Minor, and Dalad. Under D.A. File No. 1999-02775, 1.59 acres of wetland fills were authorized by the affirmation of NWP 26 with mitigation, at the Dalad property.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Pauline D. Thorndike, who can be contacted by calling (716) 879-4237, or by e-mail at: pauline.d.thorndike@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of Pauline D. Thorndike, or by e-mail at: pauline.d.thorndike@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

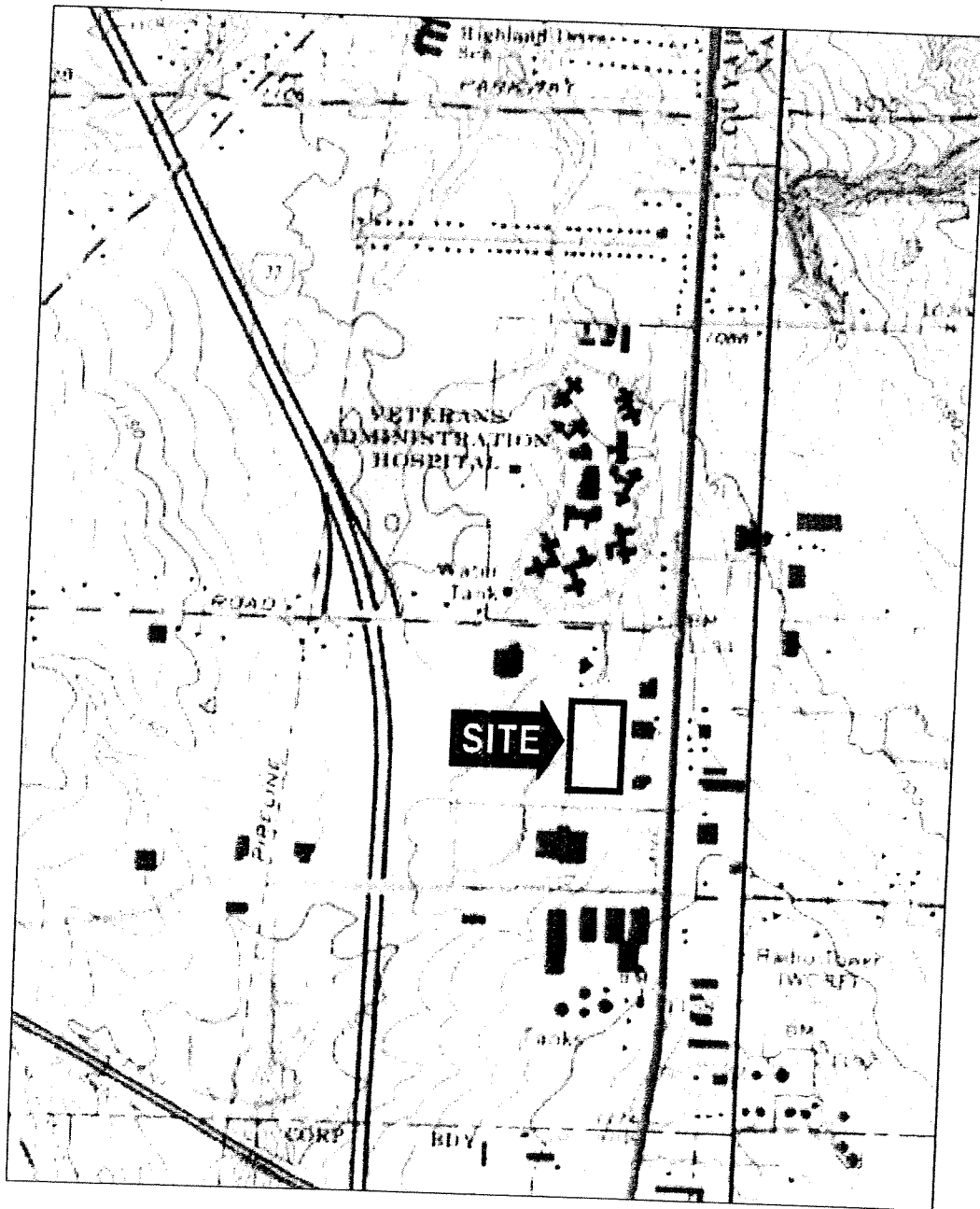
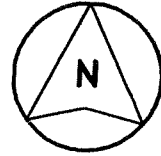
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties,

water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

for Elizabeth W. Howe
Philip D. Frapwell
Acting Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

HOLAR PROPERTIES, LLC (FORMERLY
HOUSE OF LAROSE)
D/A Processing No. 2003-02060(2)
Cuyahoga County, Ohio Quad: BROADVIEW
HEIGHTS
Sheet 1 of 3

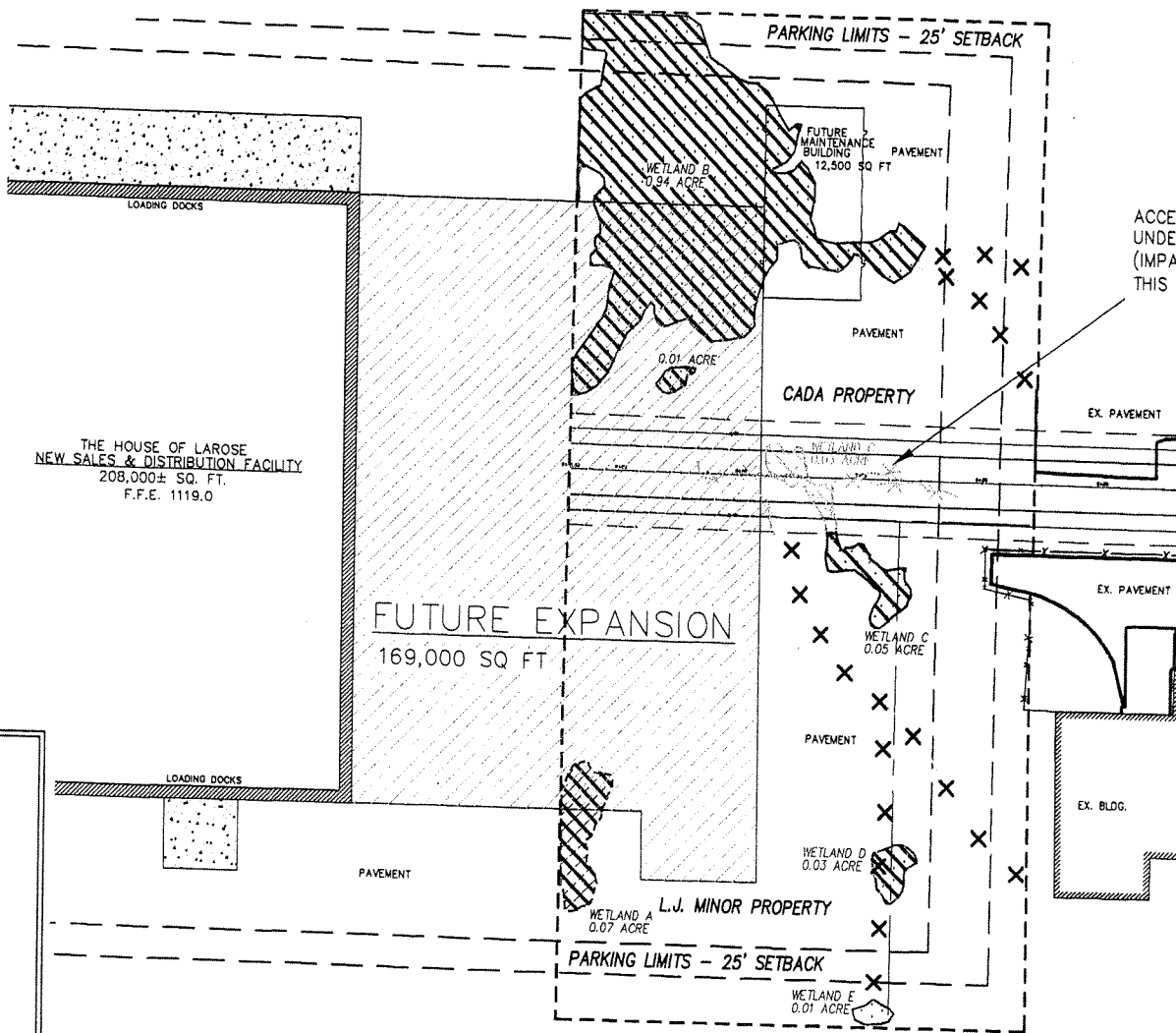


QUADRANGLE LOCATION

BROADVIEW HTS QUADRANGLE
OHIO - CUYAHOGA
7.5 MINUTE SERIES (TOPOGRAPHIC)

PROJECT: THE HOUSE OF LAROSE
LOCATION: BRECKSVILLE, OHIO
U.S.G.S. MAP

CHAGRIN VALLEY
ENGINEERING, LTD.



TOTAL FEDERAL WETLAND TO BE MITIGATED 1.06 ACRES
TOTAL STATE WETLAND TO BE MITIGATED 0.07 ACRE

LEGEND

- SWALE
- AREA DELINEATED
- STATE WETLANDS = 0.07 ACRE
- FEDERAL WETLANDS = 1.07 ACRES
- STATE WETLANDS IMPACTED = 0.07 ACRE
- FEDERAL WETLANDS IMPACTED (INCLUDING SWALES) = 1.03 ACRES
- FEDERAL WETLANDS IMPACTED UNDER NATIONWIDE PERMIT = 0.03 ACRE
- IMPACTED SWALE UNDER NATIONWIDE PERMIT
- IMPACTED SWALE

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

AND DELINEATION SHOWN WAS APPROVED BY THE ARMY CORPS OF ENGINEERS ON DECEMBER 11, 2003

PROJECT No: 03193

Sheet 3 of 3



1. THE CONTRACTOR SHALL BE IN ACCORDANCE WITH APPLICABLE CITY OF BROADVIEW
POLICE AND TOWING CODES AND/OR OHIO DEPARTMENT OF HIGHWAYS
REGULATIONS.

2. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING REQUIRED UTILITY POINTS.

3. THE CONTRACTOR SHALL VERIFY SITE STAKES AND STATION DRAWN LOCATIONS
PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES
BEFORE ANY EXCAVATION AND FILL ARE INITIATED.

4. EXISTING UTILITY LOCATIONS ARE APPROXIMATE AS SHOWN. IT IS THE
CONTRACTOR'S RESPONSIBILITY TO NOTIFY UTILITY COMPANIES AND VERIFY THEIR
LOCATION PRIOR TO CONSTRUCTION. THE OWNER AND THE ENGINEER ARE NOT
RESPONSIBLE FOR ANY DAMAGES TO THE EXISTING UTILITIES THAT MAY OCCUR DURING
CONSTRUCTION.

5. EXISTING TREES OR OTHER VEGETATION AND IMPROVEMENTS SHALL BE
PRESERVED TO THE MAXIMUM EXTENT POSSIBLE. TREES AND SHRUBS THAT ARE
ANTICIPATED TO BE HARMED SHALL BE FLAGGED AND REMOVED WITH THE
CONTRACTOR'S PRODUCTION OF A REPLACEMENT PLAN. THE CONTRACTOR
SHALL BE RESPONSIBLE FOR REPLACEMENT OF TREES NOT APPROVED FOR REMOVAL.

6. THE DETERMINATION OF BORROW, WASTE, AND/OR DISPOSAL AREAS, ACQUISITION
OF NECESSARY PERMITS OR APPROVALS ARE THE RESPONSIBILITY OF THE
CONTRACTOR.

7. ALL EXCAVATION AND FILL AREAS SHALL BE STRIPPED OF ALL TOPSOIL.
TOPSOIL SHALL BE STOCKPOILED ON SITE AND REDISTRIBUTED TO AREAS THAT WILL
BE REDUCED TO ORIGINAL GRADE. TOPSOIL SHALL BE STOCKPILED WITHIN 50 FEET OF
STRAIN BAIL SITES ON ALL DOWNHILL SLOPES.

8. ALL SUBGRADE, SUB-BASES, AND FILL SHALL BE COMPACTED TO 95%
RELATIVE DENSITY. FILL SHALL BE PLACED IN LIFTES NOT EXCEEDING 18 INCHES,
LIFTS NOT EXCEEDING 8-INCHES, PRIOR TO COMPACTION. CONTRACTOR SHALL
BE RESPONSIBLE FOR THE PROPER DISPOSAL OF ORGANIC MATERIAL INTO A FILL AREA.

9. STONY STREAM BEDS WITH LESS THAN 4% OF COVER SHALL BE ENGRAVED WITH
A V-CHANNEL OR CONCRETE CHANNEL.

10. THE BASES OF EASEMENTS FOR THIS SURVEY IS 5' DEEPER IN THE CENTERLINE OF
BROADVIEW ROAD, AS ENGRAVED BY BROADVIEW'S TOWNING, AND IS NOT THE SAME AS
THAT OF THE ADJACENT TOWNSHIP OF BROADVIEW.

11. ATTENTION BASH SLOPES SHOULD BE NO STEEPER THAN 3:1 AT A MAXIMUM OF 12
FOOT. A SAFETY BENCH, MINIMUM 10 FEET WIDE, SHOULD BE CONSTRUCTED ALONG THE
WATER SURFACE SLOPE AND SLOPE AND ADJACENT TO THE TYPICAL
UNPAVED ROAD.

12. NEW FILLING OPERATIONS SHALL BE CONDUCTED ANNUALLY. MAINTENANCE SHALL
BE THE RESPONSIBILITY OF THE OWNER.

PREPARED BY:
JOHN B. STEINMETZ, P.E.
CDP ENGINEERS, INC.
3250 BLAZER PARKWAY
LEXINGTON, KENTUCKY 40509
PHONE: 859-284-7500

DATE	DESCRIPTION
07/06/03	COR SUBMITTAL
11/15/03	DOCUMENT RELEASE 4
10/22/03	STORMWATER PERMIT
10/06/03	CITY ENGINEER REVIEW
08/10/03	
08/27/03	
08/22/03	STORM SEWER REVIEW
08/16/03	CUSTOMER REVIEW
08/13/03	CUSTOMER REVIEW

gnf
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10 Quality Street
Lexington, Kentucky 40507-1450
Telephone (505) 281-6000
Facsimile (505) 282-6300

NEW SALES & DISTRIBUTION FACILITY
HOUSE OF LAROSE
BRECKSVILLE, OHIO

GRADING AND DRAINAGE PLANS

JOB NUMBER	SHEET NUMBER
203069	SD 10